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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,898

09/26/2003

Jeffrey Marin

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7590

03/21/2005

Frank Chau, Esq.  
F. CHAU & ASSOCIATES, LLP  
1900 Hempstead Turnpike  
East Meadow, NY 11554

EXAMINER

LA, ANH V

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/672,898

**Applicant(s)**

MARIN, JEFFREY

**Examiner**

Anh V La

**Art Unit**

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/26/03</u> . | 6) <input type="checkbox"/> Other: ____  |

### DETAILED ACTION

1. The drawings are objected to because in figures 1-2, blank blocks should be labeled. For examples, block 130 should be labeled as - -vehicle sensor-- , block 210 should be labeled as - -memory- -.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 8, 10, 11, 14, and 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion.

Regarding claim 1, Mitschele discloses a system for automatically enforcing one or more parking spaces comprising a vehicle sensor 22, a vehicle identification device 28, a parking meter 10 comprising a processor 18, a file storage unit comprising a violation manager for determining whether a violation has occurred and generating a notice of violation in response to the violation (column 1, lines 45-65), a communication unit (col. 3, lines 15-45), a network to a central receiving office 16, wherein the central office identifies the owner of the vehicle from the one or more images and creates a summons for the owner of the vehicle in response to the notice of violation (col. 2, lines 35-40), wherein the processor, the communications unit and the file storage unit are

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connected via a system bus (figure 2), and wherein the vehicle sensor and the identification device are operatively connected to the parking meter (fig. 1). Mitschele does not clearly disclose a memory. Manion teaches the use of a memory 55 (fig. 14, col. 10, lines 20-48). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a memory to the system of Mitschele as taught by Manion for the purpose of effectively storing information.

Regarding claim 4, Mitschele discloses a digital still camera 28 (col. 3, lines 35-45).

Regarding claim 8, Mitschele discloses a timer 20.

Regarding claim 10, Mitschele discloses a single-bay parking meter.

Regarding claim 11, Mitschele discloses a timer 20.

Regarding claim 14, it old and well-known that the central office mails the summons to the owner of the vehicle.

Regarding claim 16, Mitschele discloses a parking availability unit (fig. 1-2).

Regarding claim 17, Mitschele clearly discloses a sign for displaying the availability of the parking space.

Regarding claim 18, Mitschele discloses the unique characteristics comprising a license plate (col. 2, lines 35-40).

Regarding claim 19, Mitschele discloses a modem 26.

Regarding claim 20, Mitschele discloses the vehicle sensor 22 and the identification device 28 being connected to the meter via an interface device (fig. 1-2).

Regarding claim 21, Mitschele clearly discloses a character recognition unit 28, 18, 16.

Regarding claim 22, Mitschele discloses a character recognition unit 28, 18, 16.

Regarding claim 23, Mitschele discloses a system for automatically enforcing one or more parking spaces comprising a vehicle sensor 22, a vehicle identification device 28, an interface device 10 comprising a processor 18, a file storage unit comprising a violation manager for determining whether a violation has occurred and generating a notice of violation in response to the violation (column 1, lines 45-65), a communication unit (col. 3, lines 15-45), a network to a central receiving office 16, wherein the central office identifies the owner of the vehicle from the one or more images and creates a summons for the owner of the vehicle in response to the notice of violation (col. 2, lines 35-40), a module 26, wherein the processor, the communications unit and the file storage unit are connected via a system bus (figure 2), and wherein the vehicle sensor and the identification device are operatively connected to the interface device (fig. 1). Mitschele does not clearly disclose a memory. Manion teaches the use of a memory 55 (fig. 14, col. 10, lines 20-48). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a memory to the system of Mitschele as taught by Manion for the purpose of effectively storing information.

Regarding claim 24, Mitschele discloses a system for automatically enforcing one or more parking spaces comprising a vehicle sensor 22, a vehicle identification device 28, a module 26, an interface device 10 comprising a processor 18, a file storage unit comprising a violation manager for determining whether a violation has occurred and

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generating a notice of violation in response to the violation (column 1, lines 45-65), a communication unit (col. 3, lines 15-45), a network to a central receiving office 16, wherein the central office identifies the owner of the vehicle from the one or more images and creates a summons for the owner of the vehicle in response to the notice of violation (col. 2, lines 35-40), wherein the processor, the communications unit and the file storage unit are connected via a system bus (figure 2), and wherein the vehicle sensor and the identification device are operatively connected to the interface device and the interface device is operatively connected to the module 26 (fig. 1). Mitschele does not clearly disclose a memory. Manion teaches the use of a memory 55 (fig. 14, col. 10, lines 20-48). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a memory to the system of Mitschele as taught by Manion for the purpose of effectively storing information.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion as applied to claim 1 above, and further in view of Puckett.

Regarding claim 2, Mitschele in view of Manion discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a weight sensor. Puckett teaches the use of a weight sensor (col. 2, lines 35-40, col. 5, lines 40-45). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a weight sensor to the system of Mitschele (modified by Manion) as taught by Puckett for the purpose of detecting the presence of a vehicle in the parking space.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion as applied to claim 1 above, and further in view of Fuller.

Regarding claim 3, Mitschele in view of Manion discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose an induction loop. Fuller teaches the use of an induction loop (col. 8, lines 25-38). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an induction loop to the system of Mitschele (modified by Manion) as taught by Fuller for the purpose of detecting the presence of a vehicle in the parking space.

6. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion as applied to claim 4 above, and further in view of Perryman.

Regarding claims 5-6, Mitschele in view of Manion discloses all the claimed subject matter as set forth above in the rejection of claim 4, but does not disclose a robotic arm or a swivel attached to the camera. Perryman teaches the use of a robotic arm or a swivel attached to the camera (col. 8, lines 1-10). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a robotic arm or a swivel attached to the camera to the system of Mitschele (modified by Manion) as taught by Perryman for the purpose of effectively capturing images of one or more characteristics of the vehicle.

7. Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion as applied to claim 4 above, and further in view of Kudoh.

Regarding claims 7 and 12, Mitschele in view of Manion discloses all the claimed subject matter as set forth above in the rejection of claim 4, but does not disclose an analog-to-digital converter (claims 7 and 12). Kudoh teaches the use of an analog-to-digital converter 12. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an analog-to-digital converter to the system of Mitschele (modified by Manion) as taught by Kudoh for the purpose of converting analog images to digital images.

8. Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion as applied to claim 1 above, and further in view of Adkins.

Regarding claims 9 and 13, Mitschele in view of Manion discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a time and date logger. Adkins teaches the use of a time and date logger (col. 2, lines 50-60, col. 10, lines 40-55). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a time and date logger to the system of Mitschele (modified by Manion) as taught by Adkins for the purpose of superimposing the date and time in the images.



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9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mitschele in view of Manion as applied to claim 1 above, and further in view of Prieto.

Regarding claim 15, Mitschele in view of Manion discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a database. Prieto teaches the use of a database (col. 4, lines 15-20, col. 5, lines 1-10). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a database to the system of Mitschele (modified by Manion) as taught by Prieto for the purpose of recording state driving information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANH V. LA**  
**PRIMARY EXAMINER**

Anh V La  
Primary Examiner  
Art Unit 2636

AI  
February 24, 2005